

## **REMARKS**

With the cancellation herein without prejudice of claim 15, claims 11 to 14 and 16 to 20 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the indication of allowable subject matter included in claims 15 to 19. In this regard, the Examiner will note that claim 11 has been amended herein without prejudice to include all of the features included in claim 15. As such, it is respectfully submitted that claim 11, as well as claims 12 to 14 and 16 to 20, which, as presented, ultimately depend from claim 11, are in condition for immediate allowance.

Regarding the contention that “an angle of inclination of the exit surface to the normal of an optical probe axis of the probe-optical fiber unit” is indefinite “in that there are at least two possible ways of determining the claimed angle,” the angles  $\gamma$  illustrated in the Office Action are, as a matter of basic geometry, vertically opposite angles and are therefore necessarily the same.

Regarding the contention that “a probe-optical fiber unit having a slantwise exit surface is unclear,” claim 11 recites that a measuring probe includes a probe-optical fiber unit having a slantwise exit surface **on an object side**, making sufficiently clear the exit surface.

Regarding the contention that “slantwise” is indefinite, while Applicants do not necessarily agree, to facilitate matters, “slantwise” has been changed to --slanted--.

Regarding the contention that “jacket-like” is indefinite, while Applicants do not necessarily agree, to facilitate matters, “jacket-like” has been changed to --jacketed--.

Regarding the contention that claims 11 to 20 are incomplete, while Applicants do not necessarily agree, to facilitate matters, claim 11 has been amended herein without prejudice to refer to “a longitudinal optical probe axis.”

Regarding the rejection raised under 35 U.S.C. § 103(a), while Applicants do not necessarily agree, claim 11 has been amended herein without prejudice to include all of the features included in claim 15, which was indicated to

include allowable subject matter. As such, it is respectfully submitted that this rejection is moot.

Applicants respectfully traverse the statement of Official Notice and respectfully request published information and/or an affidavit under 37 C.F.R. § 1.104 to the extent that this statement of Official Notice is maintainable.

In view of all of the foregoing, withdrawal of all rejections raised in the Office Action is respectfully requested.

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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